

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Carlos Munoz Yague,

Plaintiff,

-against-

Visionaire Publishing LLC,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 2/17/2022

1:19-cv-11717 (LJL) (SDA)

**ORDER**

**STEWART D. AARON, United States Magistrate Judge:**

Following a telephone conference today, for which only Plaintiff appeared, it is hereby Ordered as follows:

1. No later than March 10, 2022, Plaintiff shall serve on Defendant his inquest memorandum of law, along with any supporting affidavits or declarations, and file such papers and proof of service on the ECF docket.
2. Defendant shall file any opposition no later than March 31, 2022.

The Court hereby notifies the parties that it may conduct this inquest based solely upon the written submissions of the parties. *See Bricklayers & Allied Craftworkers Local 2, Albany, N.Y. Pension Fund v. Moulton Masonry & Const., LLC*, 779 F.3d 182, 189 (2d Cir. 2015) (quoting *Action S.A. v. Marc Rich & Co.*, 951 F.2d 504, 508 (2d Cir. 1991)); *Cement & Concrete Workers Dist. Council Welfare Fund, Pension Fund, Annuity Fund, Educ. & Training Fund & Other Funds v. Metro Found. Contractors Inc.*, 699 F.3d 230, 234 (2d Cir. 2012) (citation omitted). To the extent that any party seeks an evidentiary hearing on the issue of damages, such party must set forth in its submission the reason why the inquest should not be conducted based upon the written

submissions alone, including a description of what witnesses would be called to testify at a hearing and the nature of the evidence that would be submitted.

**SO ORDERED.**

DATED: New York, New York  
February 17, 2022

A handwritten signature in black ink, reading "Stewart D. Aaron", written over a horizontal line.

STEWART D. AARON  
United States Magistrate Judge